

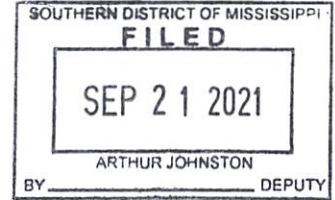
Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

UNITED STATES DISTRICT COURT

for the

District of

Division

Shameka Miller

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jackson Fire Dept E+M

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No.

3:21cv008-CWR-FKB
(to be filled in by the Clerk's Office)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name
 All other names by which
 you have been known:
 ID Number
 Current Institution
 Address

Shameka Miller
~~Investigator Scott Peacock~~

 P.O. Box 95528
 Jxn MS 39282
 City State Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name
 Job or Title (*if known*)
 Shield Number
 Employer
 Address

Jackson Fire department

 555 S. West St
 Jackson MS 39201
 City State Zip Code
☒ Individual capacity ☒ Official capacity

Defendant No. 2

Name
 Job or Title (*if known*)
 Shield Number
 Employer
 Address

Willie G. Owens
 Chief

 Jackson Fire Dept
 555 S. West Street
 Jackson MS 39201
 City State Zip Code
☒ Individual capacity ☒ Official capacity

Defendant No. 3

Name
 Job or Title (*if known*)
 Shield Number
 Employer
 Address

Scott Peacock
 Investigator

 Jackson Fire Dept
 555 South West St
 Jackson MS 39201
 City State Zip Code
☒ Individual capacity ☒ Official capacity

Defendant No. 4

Name Chokwe Antar Lumumba
 Job or Title (if known) Mayor
 Shield Number _____
 Employer City of Jackson
 Address 219 S President St
Jackson MS 39201
 City State Zip Code
☒ Individual capacity ☒ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☒ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Due Process Right from False Imprisonment, Defamation of
Harting, Et

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

☐ Pretrial detainee

666 Scott Peacock Made A Unlawful Sex Assault On Me on 5 About
July-6-2021 MAX Hollin And Kingdom Management Went Inside my home And
Removed All my personal contents From my home without Any Eviction
Are court order Allowing Them To do Such I WAS Housed At Hinds County
Jail on July-11-2021 Thru Aug-4-2021 I WAS Assaulted By A Prisoner And
I Requested To be moved From Around The person Whom Assaulted And
The Classification officer mr Dotson Threw me over the ground Force me
To Remain In Such House, The living conditions I WAS Forced To
Live without Air for 30 days And others Housed S-C-2 House in
Unit We WAS Denied The Right To CLEAN OUR CELLS For 30 days
On The date I WAS Assaulted There WAS NO officer Who WAS on
The unit my Canteen WAS Stolen They Failed Hinds County Jail Person
To Replace Items That WAS Stolen Further I Made A Complaint with
The City of Jackson Mayor office Also with The Jackson Fire
Department AS They Have fail To Protect me From The Right
of Sexual harrasment With The facts listed Above I'm Suing
The Mayor Clarence Lumumba Because He IS The oversee of The
City of Jackson And IS The Policy Maker Reason I'm suing
Jackson Fire Department Because They Are The Employer
For listed Defendant Scott Peacock, Inverness MAX Hollins IS
Being Sued Because He IS The Property Manager of my home
3527 Ridgcrest Dr. For Kingdom Management IS The owner And
The Allowed Such wrongful Unlawful Act Kingdom Management IS
Also The owner of The Property That I Rented from 3527 Ridgcrest Dr
Jackson ms 39212 chife owns Id Being Sued Because He IS
The chife of Jackson Fire Dept

Defendant #5

name _____ City of Jackson
219 S President St
Jackson ms 39201
Ind cap & Official cap

Defendant #6 Unknown NEELY
Chief Investigator

City of Jackson
219 S President St
Jackson ms 39201
Ind cap & Official cap

Defendant 7 Max's Rollins

Property Management
112 Cedar Ln
Jackson ms 39212
Ind cap & Official cap

Defendant 8 Kingdom Management Group LLC
~~Owner~~ company

2010 High Pointe Dr Apt 257
Brandon ms 39042
Ind cap & Official cap

Defendant 9 RUDECO Roberts

owner
2010 High Pointe Dr. Apt 257
Brandon ms 39042
Ind cap & Official cap

Defendant #10

Name _____ Hinds County Jail
1450 County Farm Rd
Raymond MS 39154
In cap's official cap

Defendant #11

Name _____ Unknown Dotson
Title _____ Classification officer
1450 County Farm Rd
Raymond MS 39154
In cap's official cap

Civilly committed detainee

Immigration detainee

Convicted and sentenced state prisoner

Convicted and sentenced federal prisoner

Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

On July 4, 2021 The City of Jackson Fire Investigation charged me with Arson: Perjury, causing me to be imprisoned falsely further on July 4, 2021 Inve

B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

Hinds County Jail Raymond MS

C. What date and approximate time did the events giving rise to your claim(s) occur?

Approx July-4-2021 - Aug-4-2021

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

All defendants listed

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

punitive damages, monetary damages \$150000
Emotional distress, security deposit Amount \$400.00
Compensatory damages

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes

No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Hinds County Jail

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

Yes

No

Do not know

- C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

Yes

No

Do not know

If yes, which claim(s)?

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

Yes

No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes

No

- E. If you did file a grievance:

1. Where did you file the grievance?

on the kiosk

2. What did you claim in your grievance?

Abuse

3. What was the result, if any?

none

- process.)
4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. *(Describe all efforts to appeal to the highest level of the grievance process.)*

None

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

None

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

None

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

None

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

Yes

No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

UNSUB

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes

No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s)

Can't Recall names

Defendant(s)

Torrey Smith vs KRSTAL

2. Court (if federal court, name the district; if state court, name the county and State)

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

Yes

No

If no, give the approximate date of disposition.

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

-
- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

Yes

No

- D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit
Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending?

Yes

No

If no, give the approximate date of disposition _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*
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IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 09/06/2021

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

Shameka Miller

P.O. Box 75528

Jxn

City

MS

State

39282

Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address